

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**KATHERINE R. WARREN  
ADC #714772**

**PETITIONER**

**V.**

**CASE NO. 3:20-CV-157-BSM-BD**

**BRADLEY, Warden,  
McPherson Unit,  
Arkansas Department of Correction**

**RESPONDENT**

**ORDER**

Petitioner Katherine R. Warren is serving a sentence in the Arkansas Department of Correction (ADC) after pleading guilty in Desha County Circuit Court to first-degree murder.<sup>1</sup> In the petition, Ms. Warren claims that she was “incompetent” at the time of the murder. (Doc. No. 1 at pp. 5-6) For relief, she requests a mental health evaluation and an opportunity to explain in more detail what happened. (Doc. No. 1 at p. 6)

First, Ms. Warren has not filed a motion to proceed *in forma pauperis* or paid the \$5.00 filing fee. If she wishes to pursue this petition, Ms. Warren must file a request to proceed *in forma pauperis*, along with a certificate that complies with the requirements in 28 U.S.C. § 1915(a)(2) or pay the \$5.00 filing fee within 30 days of this order. Otherwise, her petition will be dismissed.<sup>2</sup> See Local Rule 5.5(c)(2) and the Federal Rules of Civil

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<sup>1</sup> A docket search on CourtConnect indicates Ms. Warren entered a guilty plea in Desha County Circuit Court, although a copy of the judgment is not available. See Arkansas Judiciary Website, Docket Search, <http://caseinfor.aoc.arkansas.gov>; *State v. Warren*, 21ACR-15-56, Plea (Feb. 27, 2017).

<sup>2</sup> Ms. Warren filed a prior petition for writ of habeas corpus that the Court dismissed for failure comply with the Court’s order to pay the filing fee or file a request to proceed *in*

Procedure. The Clerk is directed to send Ms. Warren an application to proceed *in forma pauperis*, along with a copy of this order.

Second, Ms. Warren's habeas corpus petition does not claim that she is in custody in violation of the United States Constitution or federal law. As written, the petition does not state a valid claim for federal habeas corpus relief. See 28 U.S.C. §2254(a).<sup>3</sup> Ms. Warren can pursue a federal petition for writ of habeas corpus if she files an amended petition within 30 days that complies with 28 U.S.C. §2254. Specifically, she must state how her current custody violates the Constitution or laws of the United States.

IT IS SO ORDERED, this 8th day of June, 2020.

  
UNITED STATES MAGISTRATE JUDGE

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*forma pauperis*. Order Dismissing Petition without Prejudice, *Warren v. Bradley*, 1:19-CV-117-BSM (March 20, 2020).

<sup>3</sup> Ms. Warren filed her petition for writ of habeas corpus using the form for a prisoner who seeks a writ of habeas corpus under 28 U.S.C. §2241. The Clerk, however, correctly docketed the petition as one being brought under 28 U.S.C. §2254, which is applicable to prisoners, like Ms. Warren, who are seeking relief from a state-court judgment.